



## MARION COUNTY PROSECUTING ATTORNEY

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## **Local contractor sentenced in Common wage violation**

(Indianapolis, Ind.) Marion County Prosecutor Terry Curry announced today that David Roark was sentenced to two years of probation, 200 hours of community service work and Alternate Misdemeanor Sentencing after completing full restitution. Roark agreed to plead guilty in June to Theft (Class D Felony) for having underpaid drywall installers for their work on the Barton Towers project in Downtown Indianapolis.

The Barton Towers project was federally-funded and thus subject to prevailing wage requirements of the Federal Davis-Bacon Act. The Davis-Bacon Act is similar to Indiana Common Wage, in that contractors are required to pay employees the "prevailing local wage."

"The fraud that occurs in common wage cases has a lasting effect on the victims of the crime and on the businesses in our communities who play by the rules and pay their employees the wage required by law," said Prosecutor Curry. "We are committed to continuing to prosecute these crimes, and when possible, pursuing restitution for the victims."

Two of Roark's employees were paid as little as \$12.00 an hour when the required minimum prevailing wage plus fringe benefits was \$39.91 per hour. As part of the plea agreement Roark will make restitution in the amount of \$24,311 to the two employees.

*A charge of a crime is merely an accusation, and the defendant is presumed innocent until and unless proven guilty.*